

AMENDED IN ASSEMBLY MAY 19, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**Assembly Joint Resolution**

**No. 8**

**Introduced by Assembly Member Floyd**

February 24, 1999

---

Assembly Joint Resolution No. 8—Relative to Native Americans.

LEGISLATIVE COUNSEL'S DIGEST

AJR 8, as amended, Floyd. California Native Americans.

This measure would memorialize the President and the Congress of the United States, the Secretary of the Interior, and the Commissioner of the Bureau of Indian Affairs to expeditiously act upon the requests already submitted to the federal government that seek *federal* recognition by California Indians, ~~including the request submitted by the Ish Pahnesh United Band of Indians, also known as the Oakbrook Chumash People.~~ *It would also memorialize the Congress to ensure that there be a full accordance of respect to involved parties, including, but not limited to, the Ish Pahnesh United Band of Indians, also known as the Oakbrook Chumash People, on the matter of how formal determinations are to be reached as to which groups shall be officially designated as California Indian Tribes.*

Fiscal committee: no.

1 WHEREAS, California Indians have long sought a  
2 status comparable to that enjoyed by other Native  
3 Americans; and

4 WHEREAS, The Legislature, by the passage of  
5 Resolution Chapter 374 of the Statutes of 1969 (Senate  
6 Joint Resolution 32), stated that “Whereas, The Indians of  
7 California are virtually excluded from participation in  
8 various federal programs and services that are available  
9 to other Indians of the United States ... the Legislature of  
10 the State of California respectfully memorializes the  
11 President and the Congress of the United States to  
12 establish a policy that insures that California Indians are  
13 included to the fullest extent in various federal programs  
14 and services that are available to other Indians of the  
15 United States”; and

16 WHEREAS, The pursuit by California Indians to  
17 achieve equal status under the laws of the United States  
18 has been extensively documented and includes no fewer  
19 than 17 formal assessments of the status of the Native  
20 American in California having been reported to the state  
21 and federal government between 1882 and 1991; and

22 WHEREAS, Most recently and quite significantly, a  
23 multivolume collection of historical observations and  
24 wide-ranging public policy recommendations has been  
25 compiled by the Advisory Council on California Indian  
26 Policy (ACCIP), in its final report of September 1997, a  
27 study that was formally conducted pursuant to Public  
28 Law 102-416; and

29 WHEREAS, A central issue of concern to California  
30 Indians, explored within an entire volume of the ACCIP  
31 final report, is the Part 83 process of federal recognition  
32 which, since 1978, has witnessed only one successful  
33 attempt by a California tribe to earn federal recognition;  
34 and

35 WHEREAS, In its final report of September 1997, the  
36 ACCIP recommended that the Congress facilitate  
37 immediate federal tribal recognition under Part 83  
38 (commencing with Section 83.1) of Title 25 of the Code  
39 of Federal Regulations to petitioning California tribal  
40 groups, and strengthen service delivery for California



1 Indian people by adopting a legislative definition of  
2 “California Indian” to clarify that all California Indians,  
3 as defined in Recommendation 4 of the ACCIP  
4 Recognition Report, are subject to federal laws passed for  
5 the purpose of protecting American Indian cultures and  
6 cultural resources; and

7 WHEREAS, Legislation is presently pending in the  
8 Congress to extend the existence of the ACCIP for an  
9 additional two years and reconsider the federal  
10 recognition process, as well as other bills that may  
11 collectively be viewed as evidence of ongoing  
12 Congressional interest on issues of concern to California  
13 Indians; and

14 ~~WHEREAS, Among the many California Indian groups~~  
15 ~~that have sought to earn formal recognition from the~~  
16 ~~Bureau of Indian Affairs is the Ish Pahnesh United Band~~  
17 ~~of Indians, also known as the Oakbrook Chumash People,~~  
18 ~~located in Ventura County, California, who initially~~  
19 ~~petitioned for federal acknowledgment as an Indian~~  
20 ~~Tribe on May 25, 1995; and~~

21 ~~WHEREAS, The efforts of the Ish Pahnesh United~~  
22 ~~Band of Indians, also known as the Oakbrook Chumash~~  
23 ~~People, can be seen within the broader context of historic~~  
24 ~~ambiguities and difficulties within the process of federal~~  
25 ~~recognition of California Indians; now, therefore, be it~~  
26 ~~Indians; now, therefore, be it~~

27 *Resolved by the Assembly and Senate of the State of*  
28 *California, jointly,* That the Legislature of the State of  
29 California reiterates its own statements from Resolution  
30 Chapter 374 of the Statutes of 1969 with regard to the  
31 need for equality for the California Indians; and be it  
32 further

33 *Resolved,* That the Legislature respectfully  
34 memorializes the President and the Congress of the  
35 United States, the Secretary of the Interior, and the  
36 Commissioner of the Bureau of Indian Affairs to  
37 expeditiously act upon the requests already submitted to  
38 the federal government that seek recognition by  
39 California Indians, ~~including the request submitted by~~  
40 ~~the Ish Pahnesh United Band of Indians, also known as the~~

1 ~~Oakbrook—Chumash—People,~~ which would thus  
2 comprehensively address a key identified need of the  
3 California Indians; and be it further

4 *Resolved,* That the Legislature respectfully  
5 memorializes the Congress to give its fullest  
6 consideration of the recommendations of the ACCIP with  
7 regard to the policy recognition of California Indian  
8 Tribes; and be it further

9 *Resolved,* That the Legislature respectfully  
10 memorializes the Congress to ensure that there be a full  
11 accordance of respect paid by the Bureau of Indian  
12 Affairs and the Department of the Interior to involved  
13 parties, including, *but not limited to,* the Ish Pahnesh  
14 United Band of Indians, also known as the Oakbrook  
15 Chumash People, on the matter of how formal  
16 determinations are to be reached as to which groups shall  
17 be officially designated as California Indian Tribes; and be  
18 it further

19 *Resolved,* That the Chief Clerk of the Assembly  
20 transmit copies of this resolution to the President and  
21 Vice President of the United States, the Speaker of the  
22 House of Representatives, each Senator and  
23 Representative from California in the Congress of the  
24 United States, the Secretary of the Interior, and the  
25 Commissioner of the Bureau of Indian Affairs.

